

**DISPOSITION:** May 31, 1946. Hoenshel Fine Foods, Inc., claimant, having admitted that a portion of the product was adulterated, judgment of condemnation was entered and the product was ordered released under bond, conditioned upon the segregation of the fit portion from the unfit portion and the disposal of both in compliance with the law, under the supervision of the Food and Drug Administration.

**9820. Adulteration of flour. U. S. v. 198 Bags of Flour. Default decree of condemnation and destruction.** (F. D. C. No. 19705. Sample No. 54509-H.)

**LIBEL FILED:** On or about May 17, 1946, Eastern District of South Carolina.

**ALLEGED SHIPMENT:** On or about February 14, 1946, from Evansville, Ind.

**PRODUCT:** 198 100-pound bags of flour at Florence, S. C., in the possession of the American Bakeries Co. The product was stored under insanitary conditions after shipment. Urine stains were observed on the bags, and the article was contaminated with urine.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 13, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9821. Adulteration of plain flour, whole wheat flour, and pastry flour. U. S. v. 310, 600, 380, and 195 Bags of Flour. Consent decrees of condemnation. Products ordered released under bond.** (F. D. C. Nos. 20346, 20347. Sample Nos. 58961-H to 58964-H, incl.)

**LIBELS FILED:** June 17, 1946, Eastern District of Washington.

**ALLEGED SHIPMENT:** On or about May 15, 21, and 22, 1946, by the Idaho Boyd-Conlee Co., from Bonners Ferry, Idaho.

**PRODUCT:** 690 50-pound bags and 600 100-pound bags of flour at Spokane, Wash.

**LABEL, IN PART:** (Portions) "Enriched Hard Wheat Flour," "Red Cross Whole Wheat Flour," "Red Quill Fancy Hard Wheat Flour," "Carnation Bleached Pastry Flour," or "Extra Fancy Red White & Blue Cake Flour." The remainder of the flour was unlabeled.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent excreta and urine; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** July 2, 1946. The Idaho Boyd-Conlee Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered. The products were ordered released under bond, conditioned that any portion approved by the Food and Drug Administration as fit for human consumption be disposed of for such use, and that the remainder be converted into stock feed.

**9822. Adulteration of soy flour. U. S. v. 10 Bags of Soya Flour. Default decree of condemnation and destruction.** (F. D. C. No. 19864. Sample No. 10768-H.)

**LIBEL FILED:** May 9, 1946, Western District of New York.

**ALLEGED SHIPMENT:** On or about November 27, 1945, by the Stein Hall Co., Inc., from Decatur, Ill.

**PRODUCT:** 10 100-pound bags of soy flour at Rochester, N. Y.

**LABEL, IN PART:** "Hall-Mark Lo-Fat Soya Flour."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent pellets and rodent hairs.

**DISPOSITION:** June 12, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9823. Adulteration of whole wheat flour. U. S. v. 36 Sacks of Whole Wheat Flour. Default decree of condemnation. Product ordered denatured, for use as hog feed.** (F. D. C. No. 19818. Sample No. 43623-H.)

**LIBEL FILED:** May 8, 1946, Southern District of California.

**ALLEGED SHIPMENT:** On or about February 28, 1946, from Great Falls, Mont.

**PRODUCT:** 36 100-pound bags of whole wheat flour at Los Angeles, Calif., in the possession of the Rath Transportation Co. The product was stored under in-

sanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the article contained rodent excreta and urine.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), the product had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the Rath Transportation Co. to be denatured and converted into hog feed, under the supervision of the Food and Drug Administration.

**9824. Adulteration and misbranding of enriched flour. U. S. v. 400 Bags of Enriched Flour. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 19710. Sample No. 3695-H.)**

**LABEL FILED:** April 29, 1946, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about December 15, 1945, by the Lexington Mill and Elevator Co., Lexington, Nebr.

**PRODUCT:** 400 50-pound bags of enriched flour at Fredericksburg, Va.

**LABEL, IN PART:** "Bleached Enriched Flour \* \* \* Lexington Cream."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, thiamine (vitamin B<sub>1</sub>) and iron, had been in part omitted from the product.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for enriched flour, since it contained less than the minimum of 2 milligrams of thiamine and 13 milligrams of iron required by the standard.

**DISPOSITION:** July 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

#### MACARONI AND NOODLE PRODUCTS

**9825. Adulteration of macaroni. U. S. v. Mission Macaroni Co., Inc. Plea of nolo contendere. Fine, \$2,000. (F. D. C. No. 16611. Sample Nos. 28758-H to 28762-H, incl.)**

**INFORMATION FILED:** December 29, 1945, Western District of Washington, against the Mission Macaroni Co., Inc., Seattle, Wash.

**ALLEGED SHIPMENT:** On or about July 19, 1945, from the State of Washington into the States of Idaho and Oregon.

**LABEL, IN PART:** "Mission Brand Salad [or "Elbow"] Macaroni," or "Best Bet Elbow Macaroni."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of worm and insect fragments, rat or mouse hairs, and a cat hair; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** May 16, 1946. A plea of nolo contendere having been entered, the court imposed a fine of \$400 on each of the five counts of the information.

**9826. Adulteration of noodle dinner with chicken. U. S. v. 36 Cases of Noodle Dinner with Chicken (and 2 other seizure actions against noodle dinner with chicken). Default decrees of condemnation and destruction. (F. D. C. Nos. 20324 to 20326, incl. Sample Nos. 52943-H, 59878-H, 59879-H.)**

**LABELS FILED:** June 12, 13, and 14, 1946, Western District of Pennsylvania and Southern District of Ohio.

**ALLEGED SHIPMENT:** Between the approximate dates of February 2 and March 14, 1946, by the American Poultry Co., Detroit, Mich.

**PRODUCT:** Noodle dinner with chicken. 36 cases at Dayton, Ohio, 7 cases at Steubenville, Ohio, and 15 cases at Pittsburgh, Pa. Each case contained 24 1-pound jars of the product.

**LABEL, IN PART:** "Tested and Approved Noodle Dinner with Chicken."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.